

Family and Community:

The Jewish Family in Medieval Western Europe

by
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~~In continuing the story of the Jewish family, we leave the~~
~~Middle East and~~ ^{we} will be concerned tonight with the Jewish communities which developed in Western and Central Europe during the middle ages. Geographically, we will be speaking of communities which flourished in Northern France, England, Germany and Austria, which collectively were known as Ashkenazic as well as those Jews living in Southern Europe--Provence and Italy. Chronologically, we will take the story of the Jewish family from the tenth century, when these communities leave their first documentary records up to a fairly arbitrary cutoff point--circa 1500. Rabbi Joseph next time will give you details of what was going on during this period with regard to Jewish family life in Muslim lands, and especially Spain, while Professor Hundert will continue the story of European Jewish family life in the sixteenth century and beyond.

To link up with Professor Lightstone's talk, it must be emphasized that those Jews of whom we will be speaking tonight shared one very basic notion--that the Babylonian Talmud, edited circa 500 C.E., contained the authoritative interpretation of the

Torah by which they regulated their lives. Thus as individuals and as a community, Jews in twelfth century Regensburg or thirteenth century Montpellier felt obligated to live according to both the letter and the spirit of Talmudic law, or halakha even as they recognized, whether consciously or not, that laws and principles enacted in fifth century Babylonia, where the Jews were primarily engaged in agriculture and where they constituted a majority of the population in certain areas, might have to be modified to fit contemporary conditions in which Jews were a small minority engaging primarily in trade and moneylending.

Within the geographical and chronological limitations I have indicated, I have consulted the widest variety of sources. Ethical and Halakhic treatises were reviewed, as were exegetical works, rabbinic responsa (answers to halakhic queries) and communal regulations, all with the purpose of determining, as far as possible, the realities of Jewish family life. The picture that emerges, however consistent with the sources, must, ~~however~~ ^{nonetheless} remain an approximation. This is due to the limitations of our sources which necessarily skew the results. On the one hand, the documents with which we are dealing are almost entirely male-oriented. With precious few exceptions, medieval Jewish women were, if not illiterate, then literarily silent. Since, therefore, almost all of our documents were written by men for a primarily male audience, the female perspective on the Jewish family is relatively lacking. ~~On the other hand,~~ ^{Also} the sources at

our disposal were not written to answer the questions we wish to ask. While it may be possible to elucidate attitudes toward sexuality^{and marriage} from a commentary on the Bible or a responsum, more often than not we have to read between the lines, and that has its dangers. Moreover, if we lean heavily on halakhic documents or ethical exhortations, we run the risk of assuming that what the authors portray as normative really was, when in fact the situation they describe as the proper one may have a great deal of wishful thinking involved in it. In this connection, the one type of evidence which might help us sort this through--statistical evidence--is almost entirely lacking for our period. With these caveats in mind, we can begin.

Students of medieval Jewish life who ~~have~~ turned their attention to the subject of family life--and they ^{have been} ~~are~~ relatively few--have tended almost uniformly to idealize it, dwelling on the blissful domesticity of a Jewish family life characterized by tenderness and self-sacrifice.¹ Evidence to the contrary is dismissed as episodic.² From today's perspective, it is fairly easy to discern the apologetic motivation of such descriptions, for the concern of many^{previous} Jewish historians was to negate gentile criticism of contemporary Jewish family life and morality in the ghettos of London and New York. Their treatments, therefore, tended to accentuate the positive and to gloss over the negative. The major exception to this apologetic trend ~~to date~~, Jacob Katz's study of the Jewish family in the late middle ages,³ tends

to emphasize sources in the sixteenth and seventeenth centuries-- too late for our purposes. It would be folly indeed, to assume at the outset that Katz's conclusions, however valid in the sixteenth and seventeenth centuries, are valid ^{for} ~~in~~ previous eras.⁴ It now remains for us to begin the delicate task of reconstructing medieval European Jewish family life.

Since the subject is Family, it might be best to begin with how a family is started. How, in medieval times, did Jewish boys and girls decide whom they would marry. The answer, by and large, is that they didn't. Matchmaking was too important a decision to be left to the young people themselves (How young you will see presently), for it involved important considerations of property transfer and family status. Matchmaking, in a word, was serious business and was negotiated by the parents of the prospective bride and groom or their agents who were brought together by a matchmaker (Shadkhan) who was often a well-known rabbinic figure. It is thus related of the fifteenth century Austrian rabbi, Jacob Weil, that:

The rabbi earned the greatest proportion of his income through matchmaking, for he would write and send letters throughout the country to match virgins and lads.⁵

The implications of such centralized matchmaking services meant that people ^{who could afford the rabbi's services} were not limited to a local area in searching for a proper mate.⁶ It also meant that the community, through the institution of the matchmaker, intruded into the proceedings, as we will see.

From the perspective of the parents and the matchmaker, there were certain things one looked for in a prospective mate. In the first place, there was physical attractiveness. Girls especially, but boys as well, were expected to make themselves as attractive as possible and a girl who neglected to adorn herself according to fashion might well be asked by her friends, in the words of the thirteenth century Sefer Hasidim, "If you do not adorn yourself, who will marry you?"⁷

Next, there was money. This was an exceptionally important item in a community that made its living largely through moneylending. It is quite clear from our sources that if there were any problems regarding a prospective bride's physical appearance, a large dowry could often make amends. Thus we read of a case brought before R. Meir of Rothenburg (thirteenth century) in which the father of a sickly, epileptic girl married her off by promising a large dowry.⁸ Indeed, fathers often went to great lengths for the sake of marrying off their daughters, as is the case with the thirteenth century Provencal, Samuel ibn Tibbon, who related that for the sake of his daughters' dowries:

I placed myself in such danger as I had never before experienced, crossing the sea three times. The great expenditures were more than I was able to bear. I pledged my books. I asked my friends for loans as I was not wont.⁹

The final element in the matrimonial equation was family status. Thus Joseph ibn Kaspi, thirteenth century Provencal exegete, exhorted his son:

Take for yourself a wife of [proper] lineage, comely in her body and her deeds and do not pay attention to money.¹¹

A fourteenth century Ashkenazi, Eleazar of Worms, likewise commanded his descendants:

to marry their sons and daughters...to those of [proper] lineage and not to chase after money by marrying into a lowly family.¹⁰

That a Jew in seeking a match should invariably prefer lineage to money in the choice of a mate was by no means axiomatic. If it were, all of these exhortations would hardly have been necessary. That in fact money could often buy desirable mates of good family regardless of one's own lineage is shown by ibn Tibbon's revealing statement to his son:

In your marriage you know that I did not sell you for money as others, richer than us, did with their sons.¹¹

Where, then, was love in all of this? By the thirteenth century it indeed existed in Jewish as well as in Christian society.¹² However it was most often frustrated by the considerations enumerated above. Thus Sefer Hasidim recounts that:

A Jew desired a certain woman whom he loved and she loved him. He sent matchmakers to her father and mother. They said, "Our daughter does not desire [this match]". Meanwhile she sent in secret [the message]: I desire you but my mother and father are engaged in another match. Just wait for he will not take me and afterwards they will engage a match for me with you. Only you must work first of all [on the question of] how we will support ourselves.¹³

A story like this indicates that love in medieval Jewry was an increasingly important consideration in marital

considerations, but that love did not in any way obviate the need either for the services of a matchmaker nor did it help the question of financial means, which remained perhaps the prime determinant of who married whom in medieval Jewish society.

This ^{of making a living} issue, however, did not crop up in all cases. In many marriages in this era, the bride and groom were in no way capable of setting up an independent household at first--for they were children of eleven and twelve. One of the striking phenomena of medieval Jewish marriage was the penchant for marrying off children at very young ages. It was quite common, for instance, for girls and boys to be married prior to their halakhic age of majority--twelve and thirteen respectively.¹⁴ This practice was in direct contradiction to an explicit Talmudic prohibition of the betrothal of a minor.¹⁵ Rabbenu Tam (twelfth century), in his commentary on that Talmudic passage, defended the practice in this way:

Nowadays when we are accustomed to marry our daughters even if they are minors, [we do so] since each day the exile gains in strength over us and if a man presently has the means to give his daughter a dowry, perhaps later on he will not have the means and his daughter will remain abandoned forever.¹⁶

Child marriage was thus conceived of as a means whereby parents, who, in an age of uncertainty and of high mortality could not be certain of surviving until their children reached their late teens or twenties, could make certain that a proper match was made. Another argument made for early marriages--especially for boys--is that, given the very strong halakhic

prohibitions against masturbation or any sexual activity outside marriage, it would be well for children approaching puberty to have a licit sexual outlet.¹⁷ Another argument had to do with heading off the independent choice of mates. Thus Sefer Hasidim criticized the practice of marrying girls before they are physically capable of giving birth. Boys, on the other hand, were to be married before the onset of puberty in order to retain parental control, "lest they say, like Samson, 'Take her for me, for she has found favor in my eyes.'"¹⁸

The very young couple, obviously incapable at first of setting up an independent economic unit, would move in with one set of parents, sometimes the bride's, often the groom's. This created what must have been a common situation--two families in one household. This was a situation which was liable to deteriorate, as we shall see later on.

Once the match was made, the betrothal [kiddushin] and the marriage [nissuin] ceremonies could be arranged. While it is customary nowadays to fuse the two ceremonies into one and perform both on one day, in early medieval times they were separated by as much as a year or more (a prudent custom given the age of the principals). Only after the first Crusade was the fusion of the two ceremonies to become the rule rather than the exception.¹⁹ Betrothal meant that the woman was to marry the man and was therefore forbidden to all other men. On the other hand, the betrothed couple was forbidden to be alone together, to live

in the same house and ^{they were} certainly not to engage in sex prior to the marriage itself.²⁰

It should not be thought that this process was by any means confined to the two families involved, for the community as a whole had a vital stake in the marriage of two individuals who were to become part of a small and tightly-knit community. Thus it was enacted that communal representatives should assemble at the time the match was made as well as at the betrothal and wedding.²¹ It is clear that the community possessed the power and exercised it at times to forbid a given marriage on grounds which appeared sufficient to it.²² It also exercised the right to standardize the monetary clause in the marriage contract [ketuba] equalizing the amounts of rich and poor.²³

In relatively small communities, it was an important communal responsibility to ensure harmonious family life. However this was often easier said than done. This is because matches often seem to have been made with mutual compatibility not the primary concern. ~~Moreover, contemporary views on relations between the sexes did not make for mutual understanding.~~ ^{Though} This, of course, need not ^{have been} be an essential problem in a society in which people generally accept their sex-roles. In this society, however, we begin to see evidence of the inroads of a competing sex-ethic--romantic love.²⁴

The first point, regarding emphases in matchmaking, has already been illustrated. Let us turn to the second point now.

Since in our sources women are seldom if ever allowed to speak for themselves, we can only deal in detail with male attitudes toward women. For medieval Jewish males, women constituted a danger--potential or real--to be either avoided or else controlled. Meir of Rothenburg considered that contemporary women, as opposed to those in Talmudic times, were more "brazen and impudent [assertive?]",²⁵ "loose in their manner of life"²⁶ and arrogant in their relations with their husbands."²⁷ Other major authorities concurred. Women were to be avoided if at all possible, particularly during their periods and afterwards until they had immersed themselves in the mikveh, even by their husbands. Thus Eliezer of Worms counselled his son:

Do not approach your wife near [the onset] of her period...Do not walk behind a woman in the marketplace and do not pass between two women.²⁸

Gazing upon women was considered harmful.²⁹ Thus Orhot Zadikim, an anonymous Ashkenazic book of mussar, warns its readers against "gazing on the play of women and girls and not [to look] upon a woman in her face or between her breasts. [This even refers to] his wife until she has immersed herself [in the mikveh]."³⁰ There were two basic reasons for this prohibition of relations with women. First of all, contact with women would lead to the transgression of the rather strict halakhic prohibitions regarding separation of the sexes. Secondly, it was liable to lead to the abandonment of perhaps the greatest of the commandments--to study the Torah. These points are well

illustrated by R. Jonah Gerondi, who, though a Spaniard, nonetheless spent his student days in Provence, in his commentary on Avot 1, 5:

"Do not talk overmuch with women"--for talking with women brings [a man] to the point of thinking of sin and neglecting Torah...That is he should not speak overmuch with his menstruating wife, lest his evil inclination overpower him and he will come to trespass. This is especially true with regard to the wife of his fellow, for his inclination drives him to her...and most especially to the wife of a gentile, for the [evil] inclination desires her.³¹

Women, therefore, are bearers of the disease of love, "when a man's consciousness is never free of the love of that woman."³² This, of course, tends to deflect a man from his rightful course--to be mindful of God and to study His Torah. An extreme but instructive example of this attitude toward women is contained in a commentary on the Midrash Rabba by Isaac b. Yedaiah, a thirteenth century Provencal. In a long excursus on the merits of circumcision, he contrasts the lusty, enjoyable sex life of the uncircumcised Gentile with the more circumscribed sexuality of the Jew. In contrast to the Gentile, the Jew ejaculates quickly and thus his partner is most often unable to achieve orgasm and is quickly frustrated with sex and ^{will} not demand too much of her partner. ^{g will sat, self w. next. or less.} Thus the Jew is able to save his energy for the task of studying Torah or engaging in philosophical study.³³

Sex was important, therefore, not as a means of personal pleasure or fulfillment but rather as the means of propagating

the species--one of the most important and fundamental mizvot. Sex within marriage was also favored since it gave a licit outlet to mens' basic urges which otherwise might involve them in sin. It was, finally, essential in order to maintain one's physical health, which, according to the medical knowledge of the time, required periodic discharges of all bodily fluids--semen included. Thus the ethical work, Orhot Zadikim, states:

He who marries a woman should consider [that he does so] for the sake of heaven to fulfill the command of "Be fruitful and multiply" and have descendents serving God and fearing Heaven. Or let him think that he will fulfill his lust and quench his desire with his wife so that he will not lust after other women. He should also visit his wife when he knows she desires him in order that she should not desire other men. Or let him consider the health of his body for the expulsion of sperm leads to the health of the body. But he who has sex more than necessary will bring many disease upon himself.³⁴

Wives, beside being legitimate objects of mens' sexual desire, were also useful, for the author of Orhot Zadikim, to raise the children, prepare food and keep the house so that the husband "will be free to study Torah and occupy himself with the commandments, thus she aids him in the service of the Creator."³⁵ Women were, in the words of Eleazar of Mayence, to keep themselves busy and never be found without an occupation, be it spinning or cooking or sewing, for "idleness leads to boredom and to fornication."³⁵

You may have noticed the emphasis placed by the sources thus far cited on the avoidance of women when not necessary to fulfill

a commandment or to prevent transgression. This process involved as well the conscious suppression of sexual desire^{and pleasure}. Thus Eleazar of Mayence counselled his female descendants "to have sex modestly and in holiness...with no desire [hafezut] and with no merrymaking but rather in awe and in silence." In general, men were advised that it was all right to speak with one's wife as much as necessary^{but not on all topics}. Thus, ^{the Provencal} Menahem Meiri stated:

[One may speak with one's wife] according to need...in those things which it is necessary to discuss with women in the matter of household needs...expenses and other things...but [not] in that which there is no need in words of greeting and vain talk such as talking of events etc. and if he should happen to speak of these things accidentally, let him not speak much of these...to burden his thoughts in the time proper for his work or Torah study. How much more so with another woman.³⁶

There are strong indications that in reality communication between men and women was not exactly according to the strictures of the moralists. Orhot Zadikim itself admits that the sort of contact between men and women it castigates is considered a light matter by many people and "even in the eyes of the great ones of the generation."³⁷ One who does observe this ideal, it is admitted further, may become the object of ridicule.³⁸ Nevertheless, the fact that such relations--or lack of them--between men and women was set up as a moral and ethical ideal speaks eloquently of a type of family in which husband and wife, adhering to rigidly defined sex-roles, were to be partners rather than companions, with minimum interaction between the two.

One other factor deserves notice in this connection--the emphasis given in the sources to avoidance of sexual immorality. Adultery appeared to be not merely an especially heinous sin in a community which felt that purity of lineage was of the utmost importance, it was also a sin which was very easy to ~~commit~~ ^{fall into}. Monford Harris, in his study "Love in Sepher Hassidim", remarks that "one gains the impression...that adultery was a very serious problem for this community."³⁸ It must be said that an examination of sources other than Sefer Hasidim seems to confirm Harris' impression. It seems clear that the numerous cases in the responsa literature dealing with extramarital affairs with Jews³⁹ as well as with Gentiles,⁴⁰ indicate not isolated cases but rather a problem that society faced in an era when romantic love was making inroads into people's thought. It is not happenstance in this regard that ^{in the middle ages} "pure" romantic love--like that of Tristan and Isolde, or Lancelot and Guinevere--had to be adulterous.⁴¹

If indeed adultery was a serious problem in the Jewish community in medieval times, it should not surprise you that other types of marital friction appear in our sources. Quarrels were apparently quite common, especially with in-laws or other relatives with whom one commonly shared rather cramped quarters.⁴² Wifebeating was a serious problem and was the subject of at least one communal ordinance.⁴³ There were problems with male impotence on the one hand,⁴⁴ and on the other

hand "rebellious" wives refusing to live with their husbands.⁴⁵ More serious than these was the apparently fairly widespread problem of husbands abandoning wives, which, in the absence of a divorce or a reliable report of the husband's death, would leave the wife an agunah, unable to remarry.⁴⁶

For all these reasons, it is interesting to observe that divorce, another bellweather of marital tension, was likewise perceived as a problem in our era. It is true that the reforms within medieval Ashkenazic society attributed to the tenth century R. Gershom Me'or ha-Golah had greatly improved the status of women within marriage by abolishing polygamy in most cases,⁴⁷ and also by restricting the man's right to arbitrarily divorce his wife against her will. However the fact that women were also granted greater facilities to sue for divorce indicates that divorce was indeed at least one outlet for the sort of martial problems detailed previously.

We possess evidence from fifteenth century Germany, which has only recently come to light, that divorces were proliferating at an alarming rate. In the mid-fifteenth century, the rabbi of Bingen, R. Seligmann Bing, wrote an impassioned plea denouncing the rapid turnover of marriage partners on the part of both husbands and wives which was facilitated by hasty divorces and the ease in which new marriages were contracted--frequently prior to the termination of the first marriage.⁴⁸ There is, of course, almost no statistical evidence to back up R. Seligmann's claim.

Nonetheless, one bit of corroborating evidence does exist. There exist manuscript copies of divorces [gittin] written in the town of Nurnberg in the fifteenth century. In the period 1416-1442, at least thirty divorces granted there are preserved. This does not sound like much until one realizes that the Jewish community of the town in those years did not exceed some seventy adults of both sexes. Even considering that some of these divorces may have been granted to couples from surrounding villages, seemingly two-thirds of the Jewish marriages in Nurnberg broke up in this twenty-six year period.⁴⁹ Of course this is merely one isolated statistic. It does, however, serve to illustrate that maybe R. Seligmann was not concerned in vain.

After talking about husbands and wives--the central personages in the family, it would be well to speak also of the children, for it is for their sake--and especially for the sons who may be brought up to the study of the Torah--that the parent merits the World to Come, in the words of Eliezer of Worms.⁵⁰ Children must be supported and cared for.⁵¹ Judah Asheri likely echoed the sentiments of many when he recounted to his children:

What had a father to do for his children that I did not do for you? At all times your food and drink and all your needs were provided. You have many books. All my thoughts are upon you to improve you.⁵²

Along with care came discipline, for, as Orhot Zadikim notes, a father:

...must have mercy on [his child's] soul more than on his body. He must strike him with the rod of discipline

to cause him to tread on the right path, even at the [cost of] cruelty--for this cruelty is the greatest mercy. If he should spare the rod of discipline being too merciful to strike him and he leaves him to walk in the stubbornness of his evil heart, this mercy loses for the son the life of the World to Come.⁵³

In general, it seems as though the mothers had the primary responsibility for day to day childrearing with the father stepping in regarding discipline and also to supervise the sons' education. The father was advised not to get too involved with his children so as to interrupt his Torah study "on account of the enjoyment and play of his children."⁵⁴ Fathers and children, like husbands and wives, were not supposed to be companions.

Beside one's own children, one was likely to find in a given household one or more orphans or stepchildren. Given the high mortality rates of the time it was not at all a certainty that both parents, or, indeed, either parent would survive until the children could take care of themselves. In such cases, orphans would often be taken in by relatives⁵⁵, though the community retained the right to determine the legal guardian.⁵⁶ Even if one of the parents--the father--remained alive, the children might still be placed in foster homes, even upon the father's remarriage. Ibn Tibbon thus mentioned the case of "R. Moses b. Judah who had four sons and scattered them to all corners and left them to take a wife while I in my mercifulness for you did not wish to bring you in the hands of another woman."⁵⁷

Other people one might find in a medieval Jewish household

were aged parents who had defied the demographic probabilities and had to be supported by their children--particularly widows--as well as servants of both sexes who could be either Jewish or Gentile⁵⁸, and frequently a wet-nurse as well.⁵⁹

Beyond the immediate family there were other relatives to be called upon in case of need or for advice or for advancement.⁶⁰ In medieval times, family ties were preserved in a lineage conscious society within relatively small communities so that Judah Asheri can recall a wedding held in Germany at which there were some five hundred guests, all of whom were related to one another with the most distant relationship being that of third cousins.⁶¹

In attempting to summarize the material presented here, I think that out of all the scattered, disparate sources a fairly coherent family portrait emerges. We are dealing with a patriarchal society with very rigidly defined sex roles in which men and women, husbands and wives led very different lives and *were* *supported by* ~~spend~~ nearly all their time in the company of their own sex. It was a society in which the interpersonal relationships were significantly different from what they would become in later centuries. Those who choose to see in medieval Jewry an *uninterruptedly* idyllic, peaceful family life *were* ~~are~~ engaged in wishful thinking. Many of the problems which face families in *contemporary* ~~our~~ society are neither new nor unprecedented in Jewish history. This *may well* dismay people who look to the past for golden ages. *It will* ~~For those,~~ however, ~~who~~

Read ~~as~~ those of us interested in examining the reaction of medieval Jewry to
Ashkenazic

understand that, ~~for all the differences~~, medieval Jews were people, and not cardboard saints, ~~the story of how they struggled~~ with the problems with which we ourselves confront can give us heart. For with this knowledge comes the realization that our own generation is not unique in its problems. And with that realization comes some comfort, in the notion that we--as they--can struggle with these problems and bequeath them to future generations.

NOTES

- 1 Israel Abrahams, Jewish Life in the Middle Ages (New York, Atheneum, 1974), p. 83ff.
- 2 Ibid. Cf. Rozenzweig, p
- 3 Jacob Katz,
- 4 Israel Yuval
- 5 Sefer Maharil, cited in Eidelberg, p. 65, note 23.